



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Department of Social and Health Services, Aging and Disability Services

- ☒ **Preproposal Statement of Inquiry was filed as WSR** 11-13-094 ; or
☐ **Expedited Rule Making--Proposed notice was filed as WSR** _____ ; or
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☒ **Original Notice**
☐ **Supplemental Notice to WSR**
☐ **Continuance of WSR**

Title of rule and other identifying information: (Describe Subject)

The department intends to amend the following sections: WAC 388-78A-2020, Definitions; WAC 388-78A-2030, Applicability; WAC 388-78A-2130, Service Agreement Planning; WAC 388-78A-2461, Background Check-General; WAC 388-78A-2467, Background check-Sharing by health care facilities; WAC 388-78A-2474 Training and Home Care Aide Certification; WAC 388-78A-2750, Application process; WAC 388-78A-2780 Change in License/Change of Ownership-Notice to Department and Residents; WAC 388-78A-2800, Changes in licensed bed capacity; WAC 388-78A-3230, Fees; and other related rules as appropriate.

The department intends to add the following sections: WAC 388-78A-2032 Boarding home license not required; and WAC 388-78A-2035 Disclosure statement to nonresident individuals.

The department intends to repeal: WAC 388-78A-2463, Background Check-National Fingerprint Checks-Who is required to have.

Hearing location(s):

Office Building 2 - Auditorium
 (DSHS Headquarters)
 1115 Washington
 Olympia, WA 98504
 Public parking at 11th and Jefferson. A map is available at:
<http://www1.dshs.wa.gov/msa/rpau/RPAU-OB-2directions.html>
 or by calling 360-664-6094.

Date: **October 11, 2011** Time: **10:00 a.m.**

Submit written comments to:

Name: DSHS Rules Coordinator
 Address: PO Box 45850, Olympia WA, 98504-5850
 Delivery: 1115 Washington St. SE Olympia, WA 98504
 E-mail: DSHSRPAURulesCoordinator@dshs.wa.gov
 Fax: (360) 664-6185

by

5 p.m. on October 11, 2011

Date of intended adoption: Not earlier than October 12, 2011 (Note: This is **NOT** the **effective** date)

Assistance for persons with disabilities: Contact Jennisha Johnson, DSHS Rules Consultant by September 27, 2011
 TTY (360) 664-6178 or (360) 664-6094 or
 by e-mail at johnsjl4@dshs.wa.gov

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The department is amending these rules as a result of legislative activity during session and to be consistent with newly passed state laws: Substitute Senate Bill 5042 Vulnerable Adults Protection, Engrossed Substitute House Bill 1277-Oversight of Licensed or Certified Long-Term Care Settings for Vulnerable Adults, Engrossed Substitute House Bill 1548-Long-Term Care Worker Requirement, Engrossed Substitute Senate Bill 5708-Long-Term Care Services, and Second Engrossed Second Substitute House Bill 1738-Changing the Designation of Medicaid State Agency.

Reasons supporting proposal:

See above

Statutory authority for adoption:

Chapters 18.20 RCW

Statute being implemented:

Chapters 18.20 RCW

Is rule necessary because of a:

Federal Law? ☐ Yes ☒ No
 Federal Court Decision? ☐ Yes ☒ No
 State Court Decision? ☐ Yes ☒ No
 If yes, CITATION:

DATE

August 18, 2011

NAME (type or print)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: August 24, 2011

TIME: 8:54 AM

WSR 11-17-134

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization) Department of Social and Health Services

- ☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Judy Johnson	P.O. Box. 45600, Olympia, WA 98504-5600	(360) 725-2591
Implementation.... Lori Melchiori	P.O. Box 45600, Olympia, WA 98504-5600	(360) 725-2404
Enforcement..... Lori Melchiori	P.O. Box 45600, Olympia, WA 98504-5600	(360) 725-2404

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ()

fax ()

e-mail

☒ No. Explain why no statement was prepared.

Under RCW 19.85.025 (3), a SBEIS is not required for rules adopting or incorporating, by reference without material change, Washington state statutes or regulations.

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ()

fax ()

e-mail

☒ No: Please explain:

Under RCW 34.05.328 (5)(b), a CBA is not required for rules adopting or incorporating, by reference without material change, Washington state statutes or regulations.